

Serial No. 09/667,408

Multifunction Data Port

Reply to Office Action of 6/25/2007

**REMARKS**

The Inventor of the present multi function data port has amended Claims 30, 33, 36- 41, 42, 45, 52, 57- 59 are amended in response to office action of June 25, 2007 and the meeting with Examiner Igor Borissov and Supervisor John Hayes on September 24, 2007.

In addition to the remote reading of the signal from a utility meter, taught by Tracy, McEachern and McNamara, and many others, a major novel function of the present multifunction data port is remote load management. The last line on Page 1 of the Specification filed on September 1, 2001, specifies remote load management; the lines 10-18 on page 12 refer to a record of time of use of both power and power factor and to the adjustment of thermostats by both the utility and utility user in times of peak power demand; the lines 19-24 on page 12 refer to detection of tampering or attempts to bypass the meter, while lines 23-28 on page 15 refer to the control of harmonic distortion and electrical noise. The ability of the present invention to provide real time continuous reading of Voltage and current by the Meter Interface provides means to detect the peak demand used for demand pricing by the Electric Utility as well as measure the power factor. The ability of the multifunction dataport to calculate harmonics via fast Fourier analysis gives the power company the ability to charge higher fees to customers with excessive electrical noise, in addition to adding greater efficiency and safety to the power grid. Moreover, Voltage spikes and harmonics can also emanate from solid state digital processors; utility users' electronics, such as dimmer switches, can adversely affect digital grade electric power needed to supply clean electricity to homes and offices which have many appliances and electronics containing microprocessors especially sensitive to power surges and other disturbances, whether such measurable disturbances come from the grid or from the electronics themselves. The ability of

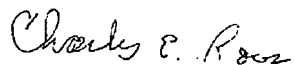
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the present multifunction data port to measure fast transits and electrical noise, and detect tampering or maladjustment of the said utility meter, is clearly a distinctive and vast improvement over prior art including the periodic meter reading technology provided by typical mechanical utility power meters and other said inventions and prior art cited by the Examiner.

Notwithstanding all of the revisions explained above, the Applicant respectfully refers to and relies upon section 806.05(a) of the Manual of Patent Examining Procedure which states: "Relative to questions of restriction where a combination is alleged, the claim thereto must be assumed to be allowable (novel and unobvious) as pointed out in MPEP sec. 806.02 in the absence of a holding by the examiner to the contrary. When a claim is found in a patent, it has already been found by the Office to be allowable and must be treated on that basis." Additionally, the Applicant continues to rely on sec. 802.05, "Where the relationship between the claims is such that the separately claimed sub combination  $B_{sp}$  constitutes the essential distinguishing feature of the combination  $AB_{sp}/B_{sp}$  as claimed, the inventions are not distinct and requirement for restriction must not be made, even though the sub-combination has separate utility,"



Charles E. Roos September 29, 2007